



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--------------------------------------|-------------|----------------------|----------------------|------------------|
| 09/816,816 | 03/22/2001 | Alejandro Wiechers | 10003930-1 | 6165 |
| 7590 | 11/19/2004 | | EXAMINER | |
| HEWLETT-PACKARD COMPANY | | | HUTTON JR, WILLIAM D | |
| Intellectual Property Administration | | | ART UNIT | PAPER NUMBER |
| P.O. Box 272400 | | | | |
| Fort Collins, CO 80527-2400 | | | 2179 | |

DATE MAILED: 11/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 09/816,816 | WIECHERS ET AL. | |
| | Examiner | Art Unit | |
| | Doug Hutton | 2179 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 23 August 2004.
 2a) This action is **FINAL**. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-4,6-17 and 19-22 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-4,6-17 and 19-22 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 22 March 2001 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

| | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

Applicant's Response

In Applicant's Response dated 23 August 2004, Applicant amended Claims 1, 7-9, 14-17, 19 and 20, added new Claims 21 and 22, cancelled Claims 5 and 18, and argued against all rejections previously set forth in the Office Action dated 2 August 2004.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-4, 6-17 and 19-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sturgeon et al., U.S. Patent No. 6,466,336, in view of Lin et al., U.S. Patent No. 6,735,335.

Claim 1:

Sturgeon discloses a document processing system for providing information corresponding to a scanned document (see Figures 1-4; see Column 1, Lines 6-12 – the document handling system discloses this limitation, as clearly indicated in the cited figures and text), said document processing system comprising:

- a scan review system configured for receiving scan information corresponding to a scanned document (see Figure 1), said scan review system being configured to

enable selection of a registration characteristic of a page of a document to be scanned and review the document to be scanned relative to the selected registration characteristic such that, in response to identifying a page of the document as not possessing the selected registration characteristic, said scan review system designates the page for review (see Figures 1-4; see Column 2, Lines 16-45; see Column 8, Line 15 through Column 9, Line 13 – the document handling system discloses this limitation in that it permits the user to identify page designations through a user interface and identify misfed pages based upon the page designations).

Sturgeon fails to expressly disclose a registration characteristic, wherein the registration characteristic is at least one of top line, top margin, bottom line, bottom margin, left margin and right margin.

Lin teaches a document processing system for providing information corresponding to a scanned document (see Column 1, Line 66 through Column 2, Line 30 – the document handling system discloses this limitation, as clearly indicated in the cited text), said document processing system comprising:

- a scan review system configured for receiving scan information corresponding to a scanned document (see Figure 2), said scan review system being configured to enable selection of a registration characteristic of a page of a document to be scanned and review the document to be scanned relative to the selected registration characteristic (see Column 3, Lines 27-34; see Column 7, Lines 12-

31; see Column 8, Lines 37-49 – the document handling system discloses this limitation in that the layout attribute analyzer verifies the size of the margins on the scanned page),

wherein the registration characteristic is at least one of top line, top margin, bottom line, bottom margin, left margin and right margin (see Column 3, Lines 27-34; see Column 7, Lines 12-31; see Column 8, Lines 37-49 – the document handling system discloses this limitation in that the layout attribute analyzer verifies the size of the margins on the scanned page), for the purpose of, in a batch scanning process, determining whether scanned pages belong to the same document (see Column 7, Lines 55-62).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system, disclosed in Sturgeon, to include a registration characteristic that is at least one of top line, top margin, bottom line, bottom margin, left margin and right margin, for the purpose of, in a batch scanning process, determining whether scanned pages belong to the same document, as taught by Lin.

Claim 2:

Sturgeon discloses the document processing system of Claim 1, further comprising:

- a scanner communicatively coupled to said scan review system, said scanner being configured to receive the document to be scanned and convert printed information of each page of the document into scan information, the scan

information being provided in an electronic format to said scan review system (see Figure 1; see Column 3, Lines 21-27 – the document handling system discloses this limitation, as clearly indicated in the cited figure and text).

Claim 3:

Sturgeon discloses the document processing system of Claim 1, wherein said scan review system is configured to provide a graphical user interface, said graphical user interface being configured to enable selection of the registration characteristic (see Figure 1; see Column 3, Lines 21-27; see Column 3, Lines 50-56; see Column 4, Lines 62-67 – the document handling system discloses this limitation in that it includes a scanner with a user interface for inputting instructions for performing the batch scanning job; also, the computer system includes a monitor, keyboard and mouse for “receiving data representative of both operational instructions or parameters,” as expressly disclosed in Sturgeon; this disclosure implies that the document handling system includes a “graphical user interface”).

Claim 4:

Sturgeon discloses the document processing system of Claim 1, wherein said scan review system comprises means for enabling selection of the registration characteristic (as indicated in the above rejections for Claims 1 and 3, the document handling system discloses this limitation).

Claim 6:

Sturgeon discloses the document processing system of Claim 3, wherein said scan review system is configured to determine a page number of each page of a document to be scanned and to designate scan information corresponding to pages of the document that are not scanned in page order (see Column 8, Line 15 through Column 9, Line 35 – the document handling system discloses this limitation in that it locates the page number for each page and employs optical character recognition to flag missing or misfed pages).

Claim 7:

Sturgeon discloses the document processing system of Claim 3, wherein said scan review system comprises:

- means for determining a page number of each page of a document to be scanned; and
- means for designating scan information corresponding to pages of the document that are not scanned in page order (as indicated in the above rejection for Claim 6, the document handling system discloses these limitations).

Claim 8:

Sturgeon discloses the document processing system of Claim 3, wherein said scan review system is configured to generate two files associated with each page of a document to be scanned, a first of said files containing page content information and a

second of the tiles containing page number information, said scan review system being further configured to utilize the page number information to arrange the page content information in page number order (as indicated in the above rejection for Claim 6, the document handling system discloses optical character recognition to identify a page number; also, the document handling system discloses a “first file containing page content information” in that it includes the scanned digital image of the page and a “second file containing number information” in that it includes a text file created through optical character recognition; finally, see Column 9, Lines 14-35 – the document handling system collates the scanned pages, as clearly indicated in the cited text).

Claim 9:

Sturgeon discloses the document processing system of Claim 3, wherein said scan review system is embodied on a computer readable medium (see Column 3, Lines 21-45; see Column 4, Lines 53-67 – the document handling system discloses this limitation, as clearly indicated in the cited text).

Claim 10:

Sturgeon discloses the document processing system of Claim 3, wherein said graphical user interface provides a page viewing window configured to display therein scan information corresponding to a page of the document to be scanned (see Column 9, Lines 36-49 – the document handling system discloses this limitation in that it allows the user to view the scanned document).

Claim 11:

Sturgeon discloses the document processing system of Claim 9, wherein said scan review system comprises logic configured to designate pages of the document that were not scanned in page order (as indicated in the above rejection for Claim 6, the document handling system discloses this limitation).

Claim 12:

Sturgeon discloses the document processing system of Claim 10, wherein said graphical user interface is configured to provide an operator with information indicating the pages of the document that were not scanned in page order (as indicated in the above rejection for Claim 6, the document handling system discloses this limitation).

Claim 13:

Sturgeon discloses the document processing system of Claim 10, wherein said graphical user interface provides a page number field, said page number field being moveable by an operator about said page viewing window such that a location corresponding to a page number of a page to be scanned may be designated, and wherein said scan review system is configured to process scan information located in a vicinity of said page number field to determine the page number of the page (see Column 6, Line 54 through Column 7, Line 30; see Column 8, Lines 15-24 – the document handling system discloses this limitation in that it allows the user to input

possible locations of page numbers and locates the page numbers through optical character recognition).

Claim 14:

Sturgeon discloses a method for providing information corresponding to a scanned document (as indicated in the above rejection for Claim 1, the document handling system discloses this limitation), comprising:

- enabling selection of a registration characteristic of a page of the document (as indicated in the above rejection for Claim 1, the document handling system discloses this limitation);
- reviewing pages of the document relative to the selected registration characteristic (as indicated in the above rejection for Claim 1, the document handling system discloses this limitation); and
- enabling receipt of scan information corresponding to the pages of the document (as indicated in the above rejection for Claim 2, the document handling system discloses this limitation).

Sturgeon fails to expressly disclose a registration characteristic, wherein the registration characteristic is at least one of top line, top margin, bottom line, bottom margin, left margin and right margin.

Lin teaches a document processing method for providing information corresponding to a scanned document (see Column 1, Line 66 through Column 2, Line

30 – the document handling system discloses this limitation, as clearly indicated in the cited text), said method comprising:

- enabling selection of a registration characteristic of a page of a document (see Column 3, Lines 27-34; see Column 7, Lines 12-31; see Column 8, Lines 37-49 – the document handling system discloses this limitation in that the layout attribute analyzer verifies the size of the margins on the scanned page),

wherein the registration characteristic is at least one of top line, top margin, bottom line, bottom margin, left margin and right margin (see Column 3, Lines 27-34; see Column 7, Lines 12-31; see Column 8, Lines 37-49 – the document handling system discloses this limitation in that the layout attribute analyzer verifies the size of the margins on the scanned page), for the purpose of, in a batch scanning process, determining whether scanned pages belong to the same document (see Column 7, Lines 55-62).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method, disclosed in Sturgeon, to include a registration characteristic that is at least one of top line, top margin, bottom line, bottom margin, left margin and right margin, for the purpose of, in a batch scanning process, determining whether scanned pages belong to the same document, as taught by Lin.

Claim 15:

Sturgeon discloses the method of Claim 14, wherein reviewing comprises designating pages not properly exhibiting the selected registration characteristic (as

indicated in the above rejection for Claim 1, the document handling system discloses this limitation).

Claim 16:

Sturgeon discloses the method of Claim 14, further comprising:
determining whether a current page of the document to be scanned corresponds to an expected page number; and
if the current page number does not correspond to the expected page number,
designating the current page for review (as indicated in the above rejection for Claim 6, the document handling system discloses these limitations).

Claim 17:

Sturgeon discloses the method of Claim 14, further comprising preparing an e-file corresponding to the document to be scanned (see Column 4, Lines 41-52 – the document handling system discloses this limitation in that it stores the scanned documents in an archive).

Claim 19:

Sturgeon discloses the method of Claim 17, wherein preparing an e-file comprises the steps of:

- generating, for each page scanned, a first file containing page content information;

- generating, for each page scanned, a second file containing page number information, each second file being associated with a respective first file; and
- utilizing the second files so as to arrange the page content information of the first files in page number order (as indicated in the above rejection for Claim 8, the document handling system discloses these limitations).

Claim 20:

Sturgeon discloses the method of Claim 19, further comprising:

- identifying pages missing from the e-file (see Column 2, Lines 23-28 – the document handling system discloses this limitation in that it flags missing pages in a batch job);
- scanning the missing pages (see Column 2, Lines 28-29 – the document handling system discloses this limitation in that the user rescans any missing pages); and
- providing page content information associated with the missing pages to the e-file such that the page content information is arranged in page number order (see Column 2, Lines 30-32 – the document handling system discloses this limitation in that it automatically places all scanned pages in the proper order).

Claim 21:

Sturgeon fails to expressly disclose a graphical user interface that is configured to enable an operator to position the registration characteristic selected such that the

scan review system compares a position of a document for scanning relative to the position of the registration characteristic selected.

Lin teaches a graphical user interface that is configured to enable an operator to position the registration characteristic selected such that the scan review system compares a position of a document for scanning relative to the position of the registration characteristic selected (see Column 5, Lines 7-45 – the document handling system discloses this limitation in that it allows the user to define a threshold value for a particular attribute; during the analysis of the scanned documents, the selected attribute for each scanned document will be compared to the threshold value; in this way, the operator “positions the registration characteristic” so that the scanned document is compared to the set position), for the purpose of, in a batch scanning process, determining whether scanned pages belong to the same document (see Column 7, Lines 55-62).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system, disclosed in Sturgeon, to include a graphical user interface that is configured to enable an operator to position the registration characteristic selected such that the scan review system compares a position of a document for scanning relative to the position of the registration characteristic selected, for the purpose of, in a batch scanning process, determining whether scanned pages belong to the same document, as taught by Lin.

Claim 22:

Sturgeon fails to expressly disclose enabling an operator to position the registration characteristic selected such that a position of a document for scanning can be compared to the position of the registration characteristic selected.

Lin teaches enabling an operator to position the registration characteristic selected such that a position of a document for scanning can be compared to the position of the registration characteristic selected (see Column 5, Lines 7-45 – the document handling system discloses this limitation in that it allows the user to define a threshold value for a particular attribute; during the analysis of the scanned documents, the selected attribute for each scanned document will be compared to the threshold value; in this way, the operator “positions the registration characteristic” so that the scanned document is compared to the set position), for the purpose of, in a batch scanning process, determining whether scanned pages belong to the same document (see Column 7, Lines 55-62).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method, disclosed in Sturgeon, to include enabling an operator to position the registration characteristic selected such that a position of a document for scanning can be compared to the position of the registration characteristic selected, for the purpose of, in a batch scanning process, determining whether scanned pages belong to the same document, as taught by Lin.

Response to Arguments

Applicant's arguments filed 23 August 2004 have been fully considered but they are not persuasive.

Arguments for Claims 1 and 14:

Applicant argues that Sturgeon fails to disclose a registration characteristic that is at least one of: top line, top margin, bottom line, bottom margin, left margin and right margin. See *Applicant's Response* – Page 8, second and third full paragraphs.

Applicant's arguments with respect to Claims 1 and 14 have been considered but are moot in view of the new grounds of rejection.

Arguments for Claims 21 and 22:

Applicant argues that Sturgeon fails to disclose a registration characteristic that is at least one of: top line, top margin, bottom line, bottom margin, left margin and right margin. See *Applicant's Response* – Page 8, second and third full paragraphs.

Applicant's argument fails to comply with 37 CFR 1.111(b) because it amounts to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the reference. Simply stating that certain limitations of claims are not disclosed in the cited reference with no analysis of how the specific language of each limitation is distinguishable from the subject matter disclosed in the cited reference fails to meet the requirement of 37 CFR 1.111(b) that Applicant "specifically [point] out how the language

of the claims patentably distinguishes them from the references.” Instead, Applicant simply argues, “it’s not there.”

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Doug Hutton whose telephone number is (703) 305-1701. The examiner can normally be reached on Monday-Friday from 8:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached at (703) 308-5186. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

WDH
November 12, 2004



STEPHEN S. HONG
PRIMARY EXAMINER